

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VERONICA DURPHEY ,

Plaintiff,

v.

EXPERIAN INFORMATION
SOLUTIONS, INC., et al.,

Defendants.

CASE NO. C24-468 MJP

ORDER FOR ADDITIONAL
BRIEFING

The Court issues this Order for Additional Briefing sua sponte after reviewing the briefing on Defendant Experian Information Solutions, Inc.'s Motion to Compel Arbitration. (Dkt. Nos. 50, 55, 56.) The Court requests additional briefing on two topics: (1) whether and how Plaintiff became bound by the post-2016 changes in the Terms of Use Agreement that removed the arbitration provision's carve-out for FCRA claims; and (2) whether and how Experian Information Solutions, Inc. can enforce ConsumerInfo.com, Inc.'s Terms of Use Agreement. As to the first issue, the Court would like the Parties to discuss whether and how Williams v. Experian Information Solutions, Inc., No. CV-23-01076-PHX-DWL, 2024 WL

1 3876171 (D. Ariz. Aug. 21, 2024) and Washington's law on contract modification should guide
2 the Court's analysis. Plaintiff and Experian Information Solutions, Inc. shall each file a
3 responsive brief of no more than 3,000 words within 14 days from the date of this Order. No
4 further briefing shall be filed unless the Court directs otherwise.

5 The clerk is ordered to provide copies of this order to all counsel.

6 Dated December 2, 2024.

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8 Marsha J. Pechman
9 United States Senior District Judge
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